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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/453,393	05/30/95	SCHWAB	VEI-01102/03

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E3M1/0620

EXAMINER

BOCCIO, V

ART UNIT	PAPER NUMBER
2604	

DATE MAILED: 06/20/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/453,393

Applicant(s)
Schwab

Examiner
Vincent F. Boccio

Group Art Unit
2604



☒ Responsive to communication(s) filed on Dec 19, 1996

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-13 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-13 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Part III DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2604.

Response to Amendment

1. Applicant's arguments with respect to claims 1-13 have been considered but are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

2. Claim 1-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) Claim 1, line 6, "remote terminal", shows no clear antecedent basis and should be changed to "said remote terminal".

(2) Claim 6, line 20, "comparing at the location of the first data terminal", is not clear, since previously the user was located at the second data terminal, see claim 6, line 12.

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

4. Claims 1-5 are rejected under 35 U.S.C. § 103 as being unpatentable over the background of the invention of Piosenka et al. (US 4,993,068) and Blonstein et al. (US 5,319,724).

Regarding claim 1, the background of Piosenka et al., discloses a secure identification system utilizing physical traits comprising: at least one centralized computer centralized database or repository storing a database of image files; and wherein a plurality of remote terminals in operative communication with the centralized computer and wherein the comparisons are made with at least image files stored in the centralized database (see col. 1, line 55 to col. 2, line 9).

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The background of Piosenka et al., fails to disclose wherein the images stored in the centralized database are compressed. Blonstein et al. teaches compression of still images utilizing JPEG. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the background Piosenka et al. by incorporating the JPEG still image compressing technique to images as taught by Blonstein et al. in order to decrease memory requirements for storage of images and would decrease transmission time of image files due to the reduction of the amount of data.

The background of Piosenka et al. fails to disclose means located at the site of each remote terminal for information to be verified. Now, the background of Poisenka incorporated with the teaching of Blondstein et al., providing image files in compressed form at the centralized database, it is considered obvious to one of ordinary skill in the art to provide a comparison means to compare image files at the remote site due to the advantage of compressed images are transferred at a faster rate and will utilize less time in the overall process of the transfer and comparison of the files.

Regarding claim 2, the background of Piosenka et al. further discloses means located at a remote data terminal for gathering image-related information(see col. 1, lines 56-58 "fingerprint, retinal scans and dynamic signatures") for comparison with an

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image file stored at a centralized computer(see col. 1 line 65 to col. 2, line 3, "matches the data from the remote access control point with the **pre-stored data** retrieved from the data base").

Regarding claim 3, the background of Piosenka et al. fails to particularly disclose means for gathering image-related information including video camera to input a video image of an individual to be verified. The examiner takes official notice it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the background of Piosenka et al. by providing a video camera to provide a video image of an individual in order to increase the security potential by the additional physical trait used in comparing physical traits to allow for requested access.

Regarding claim 4, the background of Piosenka et al. does provide for signatures to used for security, but fails to specifically call out a graphical input device having a stylus with which an individual to be verified may input a signature. It is considered inherent that means for gathering image-related information may include a graphical input device having a stylus with which an individual to be verified may input a signature(see col. 1, line 58 "dynamic signatures").

Regarding claim 5, the background Piosenka et al. further discloses means for gathering image-related information includes

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means for imaging a fingerprint of an individual to be verified(see col. 1, line 57 "fingerprints").

5. Claims 6-7 and 9-11 are rejected under 35 U.S.C. § 103 as being unpatentable over background of Piosenka et al.(US 4,993,068) in view of Schireck(US 5,306,049).

Regarding claim 6, the background of Piosenka et al., discloses a secure identification method, comprising the steps of: capturing a first graphical representation of a subject at a first data terminal, transferring and receiving the first graphical representation of the subject at a centralized computer and storing the information representative of the subject at the centralized database and receiving a request from a user and inputting a second graphical representation of the subject, downloading, comparing and authenticating(see col. 1, line 55 to col. 2, line 9).

The background of Piosenka et al. and Schireck fail to particular disclose storing information of the subject in a relational database disposed at the location of the centralized computer. Schireck teaches utilization of a relational database to store digitized images. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify by background of Piosenka et al. as taught by Schireck in order to provide a more sophisticated means of tracking and

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recording the authentication of digitized files as taught by Schireck(see col. 2, line 66 to col. 3, line 5).

The background of Piosenka et al. and Schireck fail to disclose comparison being done at the remote site. It is considered an obvious design choice to provide a means to compare and do comparisons at remote sites, due to the advantage of alleviating the central computer from performing comparisons intern it would be possible to service more transfer requests in less time.

Regarding claim 7, it is considered inherent that the first and second data terminals are the same for the purpose of performing the same function.

Regarding claim 9, the combination of the background of Piosenka et al. and Schireck fails to particularly disclose providing a graphical representation of the subject being a facial likeness of an individual. The examiner takes official notice it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of the background of Piosenka et al. and Schireck by providing a video camera to provide a graphical representation of a subject in order to increase the security with the additional physical trait.

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Regarding claim 10, the background Piosenka et al. further discloses providing a graphical representation of the subject being a fingerprint(see col. 1, line 57 "fingerprints").

Regarding claim 11, it is considered inherent that the subject being inanimate, because it is necessary for the image/subject be captured as still to be compared to allow the analysis to be performed and have repeatability.

Regarding claim 12 and 13, the combination of the background of Piosenka et al. and Schireck fail to particularly disclose providing at the plurality of remote terminals a database of subject graphical representations for the purpose of making localized comparisons. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of the background of Piosenka et al. and Schireck by providing the remote terminals with a means to store the database of subject graphical representations due to the possibility of the central repository going off line making transfer and comparison impossible during down time.

Regarding claim 13, the background of Piosenka et al. discloses well known encryption(see col. 2, line 5-9) of data transferred to and from the central database repository for security, but fails to particularly disclose databases of the plurality of remote data terminals being encrypted to that a particular data terminal cannot interpret the database of

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another. It is considered obvious to one of ordinary skill in the art at time of the invention to encrypt database information of the plurality of remote data terminals to provide an additional security to protect against unauthorized users (computer hackers), which may gain access to the system, but would not be able to access encrypted image database information without an encryption code or key.

6. Claim 8 is rejected under 35 U.S.C. § 103 as being unpatentable over the combination of background of Piosenka et al. (US 4,993,068) and Schireck (US 5,306,049) in view of Blonstein et al. (US 5,319,724).

Regarding claim 8, the combination of background of Piosenka et al. (US 4,993,068) and Schireck (US 5,306,049) fails to disclose wherein the images stored in the centralized database are compressed. Blonstein et al. teaches compression of still images utilizing JPEG. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of the background Piosenka et al. and Schireck by incorporating the JPEG still image compressing technique to images as taught by Blonstein et al. in order to decrease memory requirements for storage of images and would decrease transmission time of image files due to the reduction of the amount of data.

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Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent F. Boccio whose telephone number is (703) 306-3022.

If any attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Andrew Faile, can be reached at 703-305-4380.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703-305-3900.

V.F.B. VFB
March 26, 1997